

**UNITED STATES DISTRICT COURT**  
SOUTHERN DISTRICT OF CALIFORNIA

FILED

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CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

DEPUTY

UNITED STATES OF AMERICA

Plaintiff

v.

**Alejandro DAVALOS-Librado**AKA: **Luis Alfredo PINA Sr.**

Defendant

) Magistrate Docket No. \_\_\_\_\_

)

)

)

) COMPLAINT FOR

) VIOLATION OF:

) TITLE 18 U.S.C. § 1544

) Misuse of Passport

)

)

)

The undersigned complainant, being duly sworn, states:

On or about March 6, 2008, within the Southern District of California, defendant **Alejandro DAVALOS-Librado** did knowingly and willfully use a passport issued or designed for the use of another, with the intent to gain admission into the United States in the following manner, to wit: Defendant applied for entry to the United States by presenting US passport number 306281154, issued in the name Luis Alfredo PINA, to a Department of Homeland Security, Customs and Border Protection Officer, at the San Ysidro Port of Entry, knowing full well that he was not Luis Alfredo PINA, that the passport was not issued or designed for his use, and that he is not a United States citizen entitled to a U.S. Passport; in violation of Title 18, United States Code, Section 1544.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

  
Signature of complainant  
Sara Esparagoza, United States Customs  
and Border Protection Enforcement Officer

Sworn to before me and subscribed in my presence, this **7th** day of **March**, 2008.

  
United States Magistrate Judge  
**CATHY ANN BENCIVENGO**  
**U.S. MAGISTRATE JUDGE**

**PROBABLE CAUSE STATEMENT**

On March 6, 2008, at approximately 1250 hours, **Alejandro DAVALOS-Librado AKA: Luis Alfredo PINA, Sr. (Defendant)** presented himself to a Department of Homeland Security, Customs and Border Protection (CBP) Officer via the pedestrian facility of the San Ysidro Port of Entry and applied for admission to the United States from Mexico. Defendant identified himself with US Passport number 306281154 bearing the name Luis Alfredo PINA Sr., date of birth January 2, 1964, and a photograph that was not Defendant. The CBP Officer suspected Defendant was an impostor and referred him to secondary inspection. In secondary inspection, a CBP Officer queried Defendant's fingerprints, revealing his true identity.

During a videotaped proceeding, Defendant was advised of his Miranda rights and agreed to answer questions without the benefit of counsel. Defendant stated his true name is **Alejandro DAVALOS-Librado**. Defendant stated he is citizen of Mexico by virtue of birth in Mexico City, Mexico. Defendant admitted that he bought the United States Passport for 500 Pesos (approximately \$50.00 US Dollars), from a taxi driver.

Defendant admitted to using the US Passport bearing the name Luis Alfredo PINA Sr. to apply for admission to the United States on March 6, 2008 at the San Ysidro Port of Entry. Defendant stated his intention was to travel to San Diego, California to seek employment. Defendant admitted to knowing the passport was not designed for his use and did not bear his signature or photograph. Defendant admitted to knowing it was illegal to use the passport to attempt entry into the United States.